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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,438	03/15/2004	J. Gilmore Childers	G08.129/U	3078
28062	7590	05/01/2007	EXAMINER	
BUCKLEY, MASCHOFF & TALWALKAR LLC			LIE, ANGELA M	
50 LOCUST AVENUE			ART UNIT	PAPER NUMBER
NEW CANAAN, CT 06840			2163	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/801,438	CHILDERS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Angela M. Lie	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 February 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G.-213.

#### Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-14 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 15 March 2004 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ryan et al (US 20040215793).**

**As to claims 1, 5 and 10,** Ryan discloses a computer-implemented method for managing risk through link analysis mapping, the method comprising: receiving into a memory of a computer system information descriptive of two or more persons (paragraph 262, wherein clearly the group or private network includes more than one user); generating in the computer system links associating two or more persons based upon the received information (paragraph 265 and paragraph 2), wherein the links

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indicate a relationship between the two or more persons (Figure 11); receiving into the memory of the computer system an identifier identifying person; and generating in the computer system a link associating the identified person with one or more other persons (paragraph 313, wherein the user is an identified person and friends are other persons); and outputting an indication of the link associating the identified person with the one or more other persons (paragraphs 105 and 113) and an indication of one or more disconnects (paragraph 72) between the identified person and the one or more other person (paragraphs 53, 103, 104 and 106).

**Note regarding claim 5**, Ryan also teaches a computer server (Figure 1, element 2) accessible with a system access device via a communication network; and executable software stored on the server and executable on demand (software that allows the server to connect the user end with the website (10)).

**As to claim 2**, Ryan discloses the method comprising the step of receiving into the computer system an indication of a particular type of link to be analyzed (paragraph 129, based on the specified attributes/links possible candidates' profiles are analyzed in order to determine if they are a good match).

**As to claims 3, 8 and 11**, Ryan discloses the method comprising the step of indicating in the computer system a degree of separation between the identified person and the linked person (paragraph 275).

**As to claims 4, 9, 12 and 14**, Ryan discloses a method wherein the person comprises at least one of: an individual, a group, an organization, a corporation and a entity (paragraph 113).

**As to claim 6**, Ryan discloses a computerized system wherein the system access device comprises at least one of a computer and a personal digital assistant (Figure 1, elements 6 and 7).

**As to claim 7**, Ryan indirectly disclosed a computerized system wherein the communications network conforms to the transmission control protocol/internet protocol (Figure 1, element 4, wherein internet has internet protocol in order to be able to transfer data between nodes).

**As to claim 13**, Ryan discloses a method of interacting with a network access device so as to manage risk, the method comprising the steps of: transmitting from the network access device a description of a person (Figure 1 and paragraph 262, wherein clearly the group or private network includes more than one user); transmitting from the network access device an indication of a degree of separation for which links to the person are desired (paragraph 275); receiving at the network access device an indication of links to one or more other person (paragraph 265 and paragraph 2); receiving at the network access device a description of each link (paragraphs 51 and 66).

#### ***Response to Arguments***

4. Applicant's arguments filed February 6, 2007 have been fully considered but they are not persuasive.
5. With respect to the applicant's assertion on page 7, alleging that Ryan does not teach an indication of one or more disconnects between the identified person and the one or more other persons, the examiner disagrees. Ryan teaches that the disconnects

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between a person, entity as well other persons can exist (paragraph 72). Furthermore, Ryan also teaches indicating via the dotted line, people who might join a network but are not currently a part of it (paragraph 106).

6. Furthermore, the applicant alleges that Ryan "is solely concerned with providing notifications from one person to other persons only when relationship exists". As indicated in the paragraph above, Ryan also teaches indicating potential relationship between people, i.e. the relationship that does not exist yet.

### **The Prior Art**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Gordon (US Publication 20030078976) discloses a method and apparatus for linking users' profiles based on the specified attributes.
- De l'Etraz et al (US Patent No. 6073138) disclose a system and method for providing relational patterns between entities.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

#### **Inquiry**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela M. Lie whose telephone number is 571-272-8445. The examiner can normally be reached on M-F.
11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**Angela M Lie**



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